

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JAMES EDWIN ELLIOTT, #690456 §

VS. § CIVIL ACTION NO. 2:06cv261

DIRECTOR, TDCJ-CID and TEXAS BOARD
OF PARDONS AND PAROLE §

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. Petitioner filed objections to the Report.

This Court made a *de novo* review of Petitioner's objections and determined that they lack merit. This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS that Respondent's motion to extend time to file a Response is **GRANTED**; **ORDERS, ADJUDGES, and DECREES** that this action is **DISMISSED WITH PREJUDICE**;

ORDERS that Petitioner is **DENIED** a certificate of appealability; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 18th day of January, 2007.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE